

HAMPTON PLANNING BOARD

Minutes

September 3, 2008 – 7:00 p.m.

PRESENT: Tracy Emerick, Chair
Mark Loopley, Clerk
Fran McMahon
Keith Lessard
Tom Higgins
Richard Bateman, Selectman Member
Steven Miller, Alternate
James Steffen, Town Planner
Candice Sicard, Planning Secretary
ABSENT: Robert Viviano, Vice-Chair

I. CALL TO ORDER

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

III. NEW PUBLIC HEARINGS

08-046 140 Kings Highway

Map 183 Lot 18-6

Applicants: Jay E & Barbara E Taylor

Special Permit to Impact Wetlands: Rebuild existing foundation & raise existing building, front stairs and deck approximately 2 feet in order to correct structural deficiency & raise existing floor elevation above mean flood level elevation.

Impervious surface existing = 12ft. Impervious surface proposed = 0 ft.

Owner of Record: Jay E & Barbara E Taylor Irrevocable Trust

BOARD

Chairman Emerick noted that the applicant requested a continuance to the October 1, 2008 Planning Board Meeting.

MOVED by Mr. Bateman

SECOND by Mr. McMahon

VOTE: 6-0-0 **MOTION PASSED**

IV. CONTINUED PUBLIC HEARINGS

08-024 Lot 1 Haven Lane Continued from 05/07/08, 07/02/08

Map 138 Lot 1

Applicants: Richard A. Bley & Ruth E. Bley Trustees

Special Permit to Impact Wetlands: Construction of access road and installation of utilities for new community well.

Owner of Record: Richard A. Bley Revocable Trust & Ruth E. Bley Revocable Trust

APPLICANT

Attorney Peter Saari, Cassassa and Ryan explained the plan and the proposed impact to the wetlands. There is currently a well on site, which is the only well servicing the park. The desire is to have second well to the northeast, outside of the buffer and providing gravel driveway to it. Attorney Saari noted that they are crossing the buffer in the process with the ten-foot gravel driveway. Attorney Saari noted that the temporary impact would be 1.5 ft on each side for a

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total of 13 feet. There was discussion about the letters from Stockton Services and the letter from the Conservation Commission.

PUBLIC

No Comment.

BOARD

Mr. Loopley asked how they would power the well and Attorney Saari noted that the information in the letter from Stockton Services.

MOVED by Mr. Lessard to approve the Special Permit with the conditions of the Stockton Services letter dated 08/28/08, the Conservation Commission letter dated 08/26/08 and that a land surveyor sign the plan.

SECOND by Mr. Higgins

VOTE: 6-0-0 **MOTION PASSED**

08-039 71 Mooring Drive Continued from 08/06/08

Map 289 Lot39

Applicants: Robert and Susan Nelson

Special Permit to Impact Wetlands: Remove one-story cottage & long asphalt driveway, replace seawall, replace cottage with 2-car garage on street level, new smaller driveway constructed with pervious material.

APPLICANT

Robert and Susan Nelson detailed the application. They have visited the Conservation Commission and Zoning Board of Adjustment and both approved the proposed work. Mr. Nelson described the background of the application and the changes that have been made. Mr. Loopley asked the height of the deck and Mr. Nelson stated the deck would be approximately nine feet. Mr. Loopley asked about the stairs being removed from the plan and about variances from the State. Mr. Nelson said the stairs closest to the marsh will be removed from the plan and that the permit for the seawall is already in place but they are still awaiting other approvals from the State. There was discussion about granting conditional contingent to the State approvals.

PUBLIC

No Comment.

BOARD

No Comment.

MOVED by Mr. Higgins to approve the Special Permit application subject to any approvals from the Department of Environmental Services Wetland Bureau in consideration that the application was submitted before June 25, 2008 and does not fall under the new provisions of the Shoreland Protection Act, with the stipulations on Conservation Commission letter dated 08/26/08 and submitting an updated plan with the removal of the stairs.

SECOND by Mr. Lessard

VOTE: 6-0-0 **MOTION PASSED**

08-040 515 Winnacunnet Road Continued from 08/06/08

Map 222 Lot 118-7

Applicant: David Richards

Special Permit to Impact Wetlands: Demolish existing structures, rebuild using existing footprint. Raise new structure above designated flood plain elevation and build on concrete piers

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(14 piers, 4 feet deep in order to meet structural requirement). Footprint of existing deck will become screened porch.

APPLICANT

David Richards appeared with Brian Eagan and detailed the application and changes to the plan with suggestions from the Conservation Commission. It was noted that the applicant is still waiting on State DES permit, and Zoning Board of Adjustment decision at their October 16th 2008 meeting for a variance. The Board discussed the applicant getting the variance first and then coming back to Planning. Mr. Loopley asked about the existing square feet compared to the proposed (s.f of cottage). Mr. Eagan said it was approximately 600s.f. There was discussion about the Shoreland Protection Act and its relevance to this project.

PUBLIC

No Comment.

MOVED by Mr. Higgins to continue the referenced application to the November 5, 2008 Planning Board Meeting.

SECOND by Mr. Lessard

VOTE: 6-0-0 **MOTION PASSED**

08-019 18 Riverview Terrace Continued from 05/07/08, 06/04/08, 08/06/08

Map 292 Lot 30

Applicant: Matthew Croteau

Condo Conversion of existing structures

Waiver Request: Sections V E Detailed Plan and VII D Drainage

BOARD

Chairman Emerick noted that the application has been withdrawn.

07-037 426 High Street Continued from 04/13/07, 06/20/07, 09/19/07, 06/18/08, 08/20/08

Map 166 Lot 6

Applicant: Ken Sakurai

Special Permit to Impact Wetlands Conservation District to enlarge a pond, construct a barn and remove sheds.

APPLICANT

Mr. Higgins recused himself.

Luke Hurley and Ken Sakurai briefly explained the history of the project. Mr. Hurley explained the application and the changes to it. There was discussion about dredge materials. Mr. Lessard asked to see the DES permit.

PUBLIC

No Comment.

BOARD

There was discussion about the plan sets and revision dates. Mr. Lessard asked about the size and depth of the pond, Mr. Hurley noted that they enhanced the plantings on the edge. There was discussion about the keeping the fill on the property. If the fill is to remain, it will be graded, seeded and mulched. Mr. Lessard asked when the project was to be completed. Mr. Sakurai noted they are waiting until the pond is dry. There was further discussion about the fill and the applicant agreed to have it removed.

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MOVED by Mr. McMahon to approve the Special Permit with the conditions of the Conservation Commission letter dated 08/26/08, and that the dredge material be removed from the site.

SECOND by Mr. Loopley

VOTE: 5-0-0 **MOTION PASSED**

V. CONSIDERATION OF MINUTES of August 20, 2008

MOVED by Mr. Lessard to approve the draft minutes.

SECOND by Mr. McMahon

VOTE: 6-0-0 **MOTION PASSED**

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- 886 Lafayette Road, request for extension.

There was discussion about granting an extension for the recordable Mylar, but there already is a recorded plan and there was some confusion about the extension request. It was clarified that the applicant currently has an extension that runs out on October 18, 2008. That extension should be for the “active and substantial” requirement, as the plans have already been recorded.

MOVED: by Mr. Higgins to grant a one-year extension.

SECOND: Mr. Loopley

VOTE: 6-0-0 **MOTION PASSED**

There was discussion about Monday September 8th and the CIP meetings. It was noted that the public could sit in on the meetings, which will be held at the Town Hall upstairs in the conference room. There was also discussion about the Town Facilities Planning Strategies Meeting on September 17th at 5:30pm.

Mr. Lessard asked about condominium conversions and investigating what other towns have in their regulations and suggested that maybe the Rockingham Planning Commission could look into this. There was also discussion for about the need for new regulations that provide opportunities to provide affordable housing, and that communities have until 2009 to implement these regulations.

- Driveway Regulations

Mr. Steffen explained the changes to the proposed driveway regulations including setback and site distance requirements for new driveways. There will be a public hearing for the driveway regulations on the October 1, 2008 meeting.

VIII. ADJOURNMENT

MOVED by Mr. Bateman to adjourn.

SECOND by Mr. Loopley

VOTE: 6-0-0

Meeting adjourned at 8:13pm

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Respectfully Submitted,
Candice Sicard, Planning Secretary